

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JACOB DUFFEE,

Plaintiff,

v.

OAK CLIFF, INC.,

Defendant.

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Civil Action No. **3:11-CV-2102-L**

ORDER

Plaintiff Jacob Duffee (“Plaintiff”) filed this action, individually and on behalf of the members of the Texas Association of Disabled Persons (“TXADP”) on August 25, 2011, against Oak Cliff, Inc., the owner and operator of Big Bob’s Flooring in Duncanville, Texas, alleging violations of the Americans with Disabilities Act (“ADA”), the ADA Accessibility Guidelines (“ADAAG”), and Texas law. The case was referred to Magistrate Judge Jeff Kaplan, who entered Findings and Recommendation of the United States Magistrate Judge (“Report”) on September 26, 2011.

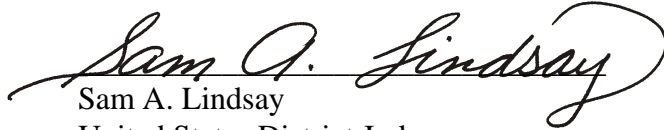
On September 28, 2011, Plaintiff filed Objections to Magistrate Judge’s Findings and Recommendations for Dismissal (“Objections”) to the Report. In the Objections, Plaintiff requests that the court “reject the objected [to] findings and recommendations . . . and allow him to proceed on his claims.” Pl.’s Objections 8, ¶ 3.

After conducting a review of the Report and record, the court determines that the magistrate judge’s findings and conclusions are correct. The Report concludes, and the court agrees, that it lacks subject matter jurisdiction over Plaintiff’s claims based on his lack of standing. The court,

therefore, **accepts** the magistrate judge's findings and conclusions as those of the court.

Accordingly, the court **dismisses** this action **without prejudice**.

It is so ordered this 4th day of January, 2012.


Sam A. Lindsay
United States District Judge